

AMENDED IN SENATE JULY 14, 2009

AMENDED IN ASSEMBLY JUNE 1, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1115

Introduced by Assembly Member Fuentes

February 27, 2009

An act to amend Section 5099.12 of the Public Resources Code, relating to natural resources, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1115, as amended, Fuentes. Natural resources: outdoor recreation.

(1) The California Outdoor Recreation Resources Plan Act requires the Director of Parks and Recreation to maintain and keep up to date a comprehensive plan for the development of the outdoor recreation resources of the state. The act requires the director to apply to the Department of the Interior for participation in or receipt of aid under the federal Land and Water Conservation Fund Act of 1965.

Existing law provides that of the annual apportionment of funds received by the director pursuant to the federal Land and Water Conservation Fund Act of 1965, 60% shall be allocated for local governmental agency projects and 40% for state agency projects. Existing law requires that the 40% share allocated for state agency projects be divided as specified among the Department of Parks and Recreation, the Wildlife Conservation Board or the Department of Fish and Game, the Department of Water Resources, and the Department of Boating and Waterways. Existing law provides that the State Coastal Conservancy is eligible to compete for grants of funds for projects of

an outdoor recreational nature from a 6% contingency fund established pursuant to the California Outdoor Recreation Resources Plan Act.

This bill would require, instead, that the 40% share allocated for state agency projects be made available through a competitive grant program. The bill would require the Department of Parks and Recreation to expend moneys from the competitive grant program on department projects, projects of the Wildlife Conservation Board or the Department of Fish and Game, projects of the Department of Water Resources, *projects of the Department of Boating and Waterways* and state conservancy projects.

(2) Existing law provides that funds received pursuant to the federal Land and Water Conservation Act of 1965 are to be deposited into the Special Deposit Fund in the State Treasury, a continuously appropriated fund.

By revising the purposes for which funds in a continuously appropriated fund may be used, this bill would make an appropriation.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5099.12 of the Public Resources Code
2 is amended to read:

3 5099.12. (a) Of the annual apportionment of funds received
4 by the director pursuant to this chapter, 60 percent shall be
5 allocated for local governmental agency projects and 40 percent
6 ~~shall be made available through a competitive grant program for~~
7 ~~state agency projects.~~ *shall be allocated for state agency projects*
8 *through a competitive grant program.*

9 (b) The department shall expend moneys from the competitive
10 grant program on department projects, projects of the Wildlife
11 Conservation Board or the Department of Fish and Game, projects
12 of the Department of Water Resources, *projects of the Department*
13 *of Boating and Waterways*, and state conservancy projects.

14 (c) If either the state or local governmental agencies are unable
15 to utilize their allocation of funds, the director shall allocate the
16 uncommitted funds to those state or local governmental agencies
17 that are in position to take advantage of the funds during the year
18 in which they are allocated. The 60-percent allocation for local
19 governmental agency projects and the 40-percent allocation to

1 state agency projects shall not be computed until the costs of
2 maintaining and keeping up to date the plan required pursuant to
3 Section 5099.2 and an additional 6 percent for deposit to a
4 contingency fund have been deducted.

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